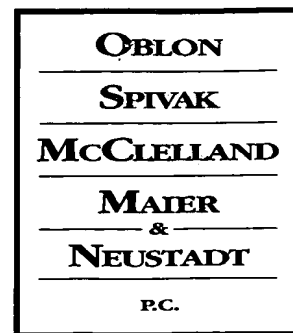




Docket No.: 1247-0796-0V PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/147,813
Applicants: Jean-Louis BRAVET, et al.
Filing Date: August 31, 1999
For: PLASTIC GLAZING, IN PARTICULAR FOR
MOTOR CAR AND METHOD FOR MAKING SAME
Group Art Unit: 1773
Examiner: Zacharia, R. E.

SIR:

Attached hereto for filing are the following papers:

Supplemental Reply Brief (In Triplicate)

Our check in the amount of _____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 1247-0796-0V PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JEAN-LOUIS BRAVET, ET AL. : EXAMINER: ZACHARIA, R
SERIAL NO: 09/147,813 :
FILED: AUGUST 31, 1999 : GROUP ART UNIT: 1773
FOR: PLASTIC GLAZING, IN :
PARTICULAR FOR MOTOR CAR AND
METHOD FOR MAKING SAME

SUPPLEMENTAL REPLY BRIEF

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The following is a Supplemental Reply Brief in reply to the Supplemental Examiner's Answer dated March 3, 2004 (Supplemental Answer).

In a Remand to the Examiner (Remand), dated January 23, 2004, the Board remanded the application to the Examiner to make evidentiary findings regarding disclosure in Motter et al, particularly the disclosure at column 6, line 59 through column 8, line 66, including Examples VI-IX and Claims 4-8. The Board finds that the examples "exemplify plastic sheets having scratch resistant coatings including sheets of polycarbonate" (Remand at 2). In the Remand, the Board also notes that it does not have Appellants' views with respect to the above portion of Motter et al (*id.*).

In the Supplemental Answer, the Examiner finds that Motter et al "do not disclose a specific embodiment in which an all plastic structure is used in a motor vehicle window (as opposed to a glazing unit)" (Supplemental Answer at 1).

In reply, Appellants submit that the disclosure in Motter et al referred to by the Board is not with regard to a glazing unit *per se*, but rather to the protective shield that is part of Motter et al's invention. Appellants' basis for this argument is the disclosure at column 8, lines 55-60, reproduced below:

The products of Examples I and IV, and also the coated plastic sheets of any of Examples II, III and VI to IX, if and when bonded to a compatible glass part in the manner described in Examples I and IV, constitute glazing units as contemplated by the glass substrate phase of this invention[.]

Appellants do note that Motter et al disclose, as an introduction to their Examples VI to IX, that the "essential features of their inventive method . . . are equally applicable to the production of units embodying essentially plastic substrates, [such as substitutes] for the plastic side windows sometimes used in buses or the like, and may require no more than the application of the organopolysiloxane abrasion resistant coating to the surface of a reasonably thick sheet of a suitable plastic material" (paragraph bridging columns 6 and 7). Again, it still appears that these Examples must be interpreted as a description of articles that are bonded to a compatible glass part. To the extent Appellants' interpretation may be incorrect, in the sense that said Examples VI to IX are intended by Motter et al to be examples of the all-plastic structure described in the specification at page 1, line 38, then it is noted that the only disclosure in Motter et al with regard to the substrate is "a reasonably thick sheet of a suitable plastic material" (column 7, lines 2-3), which description is so broad as to be essentially meaningless and clearly not suggestive of the particular layers recited for the presently-claimed glass-free motor vehicle window.

The Remand directed the Examiner to obtain a complete translation of EP '417 and EP '348 and to specifically refer to portions thereof that support the Examiner's position (Remand at 3). Regarding the Examiner's findings thereon (Supplemental Answer at 1-2), Applicants have already acknowledged the disclosure therein in the paragraph bridging pages 4 and 5 of

the specification. However, it is only with the present disclosure as a guide that a person of ordinary skill in the art would employ the scratch-resistant layer material described in these references in the article which the Examiner holds would have been obvious over the combination of Motter et al and Hirmer.

The Remand states "that any prior art referred to that is not found in a statement of the rejection will not be considered" and specifically refers to Charrier, cited in the Examiner's Answer at page 12 (Remand at 3). The Examiner states that Charrier "is not being relied upon to reject the claims. Rather, [Charrier] is cited merely as an example that illustrates the Examiner's contention that the scaling up or down of production processes in polymer processing is old and well known" (Supplemental Answer at 2-3).

In reply, and consistent with the Remand, the Board should ignore Charrier and the Examiner's findings thereon. Thus, Claims 53-61 are rejected over only Motter et al in view of Hirmer, and further in view of Tatebayashi, and these claims are patentable for reasons stated in the Appeal Brief and Reply Brief.

The Remand also states that "[t]he response by the examiner should additionally point out where the specific limitations of any dependent claims argued separately by the appellants are found in the prior art relied upon in the rejection" (Remand at 3).

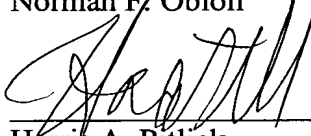
In reply, the Examiner has not complied with this direction.

For all the above reasons, and for reasons already of record, Applicants respectfully submit that all of the rejections should be REVERSED.

Respectfully submitted,

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